

**53A-2-122 Employees of a new district.**

- (1) Upon the creation of a new district:
  - (a) an employee of an existing district who is employed at a school that is transferred to the new district shall become an employee of the new district; and
  - (b) the school board of the new district shall:
    - (i) have discretion in the hiring of all other staff;
    - (ii) adopt the personnel policies and practices of the existing district, including salary schedules and benefits; and
    - (iii) enter into agreements with employees of the new district, or their representatives, that have the same terms as those in the negotiated agreements between the existing district and its employees.
- (2)
  - (a) Subject to Subsection (2)(b), an employee of a school district from which a new district is created who becomes an employee of the new district shall retain the same status as a career or provisional employee with accrued seniority and accrued benefits.
  - (b) Subsection (2)(a) applies to:
    - (i) employees of an existing district who are transferred to a new district pursuant to Subsection (1)(a); and
    - (ii) employees of a school district from which a new district is created who are hired by the new district within one year of the date of the creation of the new district.
- (3) An employee who is transferred to a new district pursuant to Subsection (1)(a) and is rehired by the existing district within one year of the date of the creation of the new district shall, when rehired by the existing district, retain the same status as a career or provisional employee with accrued seniority and accrued benefits.

Amended by Chapter 183, 2006 General Session